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September 10, 2018

The Honorable Judge Denise L. Cote  
Daniel Patrick Moynihan United States Courthouse  
500 Pearl St  
New York, NY 10007-1312

***Re: 1:18-cv-05611-DLC, Malibu Media, LLC v. John Doe Assigned IP Address  
66.108.252.117 - Plaintiff's Letter-Motion to Adjourn the Initial Status Conference on  
September 14, 2018 at 10:00 a.m. until Defendant is served***

Dear Judge Cote:

I represent Plaintiff, Malibu Media, LLC, in the above-referenced matter. Please allow this letter to serve as a motion to adjourn the Initial Pre-Trial Conference scheduled for September 14, 2018 at 10:00 a.m.

This matter has been filed as a John Doe the Internet subscriber assigned the referenced IP address, wherein Plaintiff is claiming defendant's direct infringement of several of Plaintiff's works through the BitTorrent protocol. The defendant's name and address is not presently known to Plaintiff. On July 1, 2018, Plaintiff filed a motion [CM/ECF 7] for leave to serve a third-party subpoena on the referenced IP address via its internet service provider, Charter Communications, Inc., ("Charter"). Pursuant to the Court's Order of August 13, 2018 [CM/ECF 13], Plaintiff served Charter with said subpoena on August 15, 2018. Plaintiff expects to receive a response on or about November 21, 2018. Upon receipt of the subscriber's information, Plaintiff will begin a thorough investigation to determine if the subscriber was indeed the infringer.

Pursuant to the Court's Order, an initial Conference is set for September 14, 2018 at 10:00 a.m. However, because the Defendant has not yet been served or has had the opportunity to retain counsel, Plaintiff has been unable to confer regarding pretrial deadlines. As such, Plaintiff is respectfully requesting an adjournment of the Initial Pre-Trial Conference until after defendant has been served and has had the opportunity to retain counsel.

This is the first request for an adjournment and no party objects to this request.

WHEREFORE, the Plaintiff respectfully request that this Court grant Plaintiff's motion for an adjournment of the conference on September 14, 2018.

Respectfully Submitted,

By: /s/ Kevin T. Conway  
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*Attorneys for Plaintiff*

**CERTIFICATE OF SERVICE**

I hereby certify that on September 10, 2018, I electronically filed the foregoing document with the Clerk of the Court using CM/ECF and that service was perfected on all counsel of record and interested parties through this system.

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